MC 1643/2007
BEFORE
THE HON'BLE MR JUSTICE D. BISWAS
THE HON'BLE SMT. JUSTICE A. HAZARIKA

Heard Mr. S. Medhi, learned senior counsel for the applicant and also Mr s. B. Goyal, learned State Counsel.

The dispute in the taken-up matter W.P.(C) No.117/2007 pertains to the u se of a public field. An order was passed by this Court on 23.3.2007 clarifying that the respondent authority shall not allow the said plot of land to be used f or any commercial purpose.

Mr. Medhi submits that the Bihu Celebration Committee has already arrang ed a function to be held on 10th, 11th and 12th of May, 2007. Mr. Medhi further submits that in view of the aforesaid order, the Sub-Divisional Officer (Civil), Hojai is prevailing upon the Bihu Celebration Committee not to hold the functio n in the public field.

Considering the nature of the dispute and the order passed earlier, we h ereby make it further clear that the District Administration may, in the discret ion, permit the Bihu Celebration Committee to hold the function, as scheduled. T he order dated 23.3.2007 shall not be construed to be a bar in according such pe rmission if the programme is not for any commercial purpose for augmenting the f und of the Committee.

This miscellaneous case accordingly stands disposed of.

The above order is passed after having considered the parawise comments received by Ms. Goel, learned State Counsel. The parawise comments shall form pa rt of the record.

A copy of this order be furnished to the learned counsel for the parties during the course of the day.